

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MANSOOR ALAM,

Plaintiff,

Case No. 07 CV 3540 (LTS) (JCF)

v.

**HSBC BANK USA, NATIONAL
ASSOCIATION'S ANSWER**

HSBC BANK USA, NATIONAL ASSOCIATION,

Defendant.

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Defendant HSBC Bank USA, National Association ("HSBC"), by its counsel, Meredith Friedman, hereby answers the Complaint, dated May 3, 2007 ("Complaint"), as follows:

1. HSBC denies knowledge or information sufficient to form a belief as to the truth of allegations contained in paragraph "1" of the Complaint.
2. HSBC admits that it maintains an office at 452 Fifth Avenue, New York, New York, as alleged in paragraph "2" of the Complaint.
3. HSBC denies the truth of the allegations contained in paragraph "4" of the Complaint.
4. HSBC denies the truth of the allegations contained in paragraph "5" of the Complaint.
5. HSBC denies the truth of the allegations contained in paragraph "6" of the Complaint.
6. HSBC denies the truth of the allegations contained in paragraph "7" of the Complaint.

7. HSBC denies the truth of the allegations contained in paragraph “8” of the Complaint.

8. HSBC denies knowledge or information sufficient to form a belief as to the truth of allegations contained in paragraph “9” of the Complaint.

9. HSBC denies knowledge or information sufficient to form a belief as to the truth of allegations contained in paragraph “10” of the Complaint.

10. HSBC denies knowledge or information sufficient to form a belief as to the truth of allegations contained in paragraph “11” of the Complaint.

11. HSBC denies knowledge or information sufficient to form a belief as to the truth of allegations contained in paragraph “12” of the Complaint.

In addition to the foregoing, HSBC denies all of the allegations alleged against it as set forth in the three page statement prepared by plaintiff and attached to the Complaint, otherwise known as the “Brief facts of my case Supporting my Discrimination Claim against the Bank.”

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

12. Plaintiff’s complaint fails to state a cause of action.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

13. Defendant’s decisions concerning plaintiff’s employment were solely due to legitimate business reasons, and were not discriminatory or retaliatory in any fashion.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

14. To the extent defendant’s decisions and/or actions were based upon impermissible factors, defendant would have made the same decisions and taken the same actions in the absence of such impermissible factors.

AS AND FOR A FOURTH AFFIRMATIVE DEFENSE

15. Plaintiff's own actions were the sole cause of the matters that form the basis of the complaint.

AS AND FOR A FIFTH AFFIRMATIVE DEFENSE

16. Plaintiff has failed to mitigate his injuries and/or damages.

AS AND FOR A SIXTH AFFIRMATIVE DEFENSE

17. To the extent plaintiff has received income and benefits from other sources, the same should be offset from plaintiff's damages, if any.

AS AND FOR A SEVENTH AFFIRMATIVE DEFENSE

18. Plaintiff failed to file this suit within the applicable statute of limitations.

AS AND FOR AN EIGHTH AFFIRMATIVE DEFENSE

19. A defense is founded upon documentary evidence.

AS AND FOR A NINTH AFFIRMATIVE DEFENSE

20. At all times mentioned in the Complaint plaintiff was an employee at will.

AS AND FOR A TENTH AFFIRMATIVE DEFENSE

21. The Complaint fails to state a claim upon which relief may be granted.

WHEREFORE, HSBC demands judgment dismissing plaintiff's complaint, with prejudice and on the merits, together with costs, disbursements and any other relief that this Court deems just and proper under the circumstances.

DATED: New York, New York
May 25, 2007

HSBC Bank USA, National Association

By: /s/ Meredith L. Friedman
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